

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

2015 JUN 10 P 1:09

CAROLE COPENHAVER,

Plaintiff,

v.

WESTFIELD INSURANCE COMPANY,

Defendant.

No. 3:15cv244
Varlan/Guyton

NOTICE OF REMOVAL

Comes now Defendant, Westfield Insurance Company, by and through counsel, and pursuant to 28 U.S.C. §§ 1441 and 1446, hereby files this **Notice of Removal**, and states as follows:

1. The present case currently is pending in the Circuit Court for Sevier County at Sevierville, Tennessee, as Docket No. 15-CV-312-I.
2. This Court has original jurisdiction over this action pursuant to its diversity jurisdiction, 28 U.S.C. § 1332. The Plaintiff, Carole Copenhaver, is a citizen of Tennessee, Defendant Westfield Insurance Company is a citizen of the State of Ohio. It is deemed to be a citizen of Ohio in that its state of incorporation is Ohio, and a citizen of Ohio, in that its principal place of business is in Ohio. Thus, complete diversity of citizenship between the Plaintiff and the Defendant exists. Moreover, the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00).

3. This **Notice of Removal** is being filed within thirty (30) days after the receipt by Defendant Westfield Insurance Company, through service or otherwise, of a copy of the Complaint, which is the initial pleading setting forth the claim for relief upon which **removal** is based.

4. Copies of all process, pleadings, and orders served upon Defendant Westfield Insurance Company are attached to this **Notice of Removal**.

5. A copy of this **Notice of Removal** is simultaneously being filed with the Clerk of the Circuit Court of Sevier County at Sevierville, Tennessee.

Respectfully submitted,




JAMES R. TOMKINS, #11161
SMITH & TOMKINS
214 Second Avenue, North, Suite 100
Nashville, Tennessee 37201
(615) 256-1280

Attorney for Westfield Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Removal has been forwarded to Ms. Cynthia Richardson Wyrick, Attorney at Law, 103 Bruce Street, Sevierville, TN 37862 on this the 8 day of JUNE, 2015.



JAMES R. TOMKINS